

17281 U.S. PTO  
021904

Practitioner's Docket No. 18438/09003

PATENT

22390 U.S. PTO  
10/783160  
021904

Preliminary Classification:

Proposed Class: 424

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Steven P. Pulaski; Susan Kundel

For (title): METHOD AND COMPOSITIONS FOR THE TREATMENT AND PREVENTION OF  
PAIN AND INFLAMMATION

1. Type of Application

This application is for a continuation-in-part (C-I-P).

EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date February 20, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EL999246633US.

Date:

2/19/04

Debra Dunn-Brown

Type or print name of person mailing paper

*Debra Dunn-Brown*  
Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**2. Benefit of Prior U.S. Application (35 U.S.C. §§ 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

**3. Papers Enclosed**

**A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**

171 Page(s) of Specification  
4 Page(s) of Claims

**B. Other Papers Enclosed**

1 Page(s) of Abstract  
1 Page(s) of Express Mail Certificate  
1 Page(s) of Fee Transmittal Sheet  
5 Page(s) of Patent Application Data Sheet  
1 Page(s) of Check No. 24078 for \$1,018.00  
1 Page(s) of Return Postcard

**4. Declaration or Oath**

Not Enclosed.

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

**7. Fee Calculation (37 C.F.R. § 1.16)**

Regular Application

CLAIMS AS FILED										
		Number Filed		Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a) \$770.00		
Total										
Claims (37 C.F.R. § 1.16(c))		29	–	20	=	9	x \$	18.00	= \$	162.00
Independent										
Claims (37 C.F.R. § 1.16(c))		4	–	3	=	1	x \$	86.00	= \$	86.00

---

1.16(b))

---

Multiple Dependent Claim(s),  
if any (37 C.F.R § 1.16(d))

\$ 290.00

\$

0.00

---

Filing Fee Calculation

\$1,018.00

**8. Fee Payment Being Made at This Time**

Enclosed

Filing Fee

\$1,018.00

**Total Fees Enclosed**

**\$1,018.00**

**9. Method of Payment of Fees**

Attached is Check No. 24078 in the amount of \$1,018.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-2548.

A duplicate of this paper is attached.

**10. Instructions as to Overpayment**

Credit Account No. 50-2548.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATION CLAIMED  
(37 C.F.R. § 1.78)**

**11. Relate Back**

**A. 35 U.S.C. § 119(e)**

"This application claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

**FILING DATE**

60/312,211

08/14/2001"

**Language of prior filed provisional application**

The above identified prior filed provisional application, namely application 60/312,211, filed 08/14/2001, whose benefit is being claimed was filed in the English language.

**B. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a continuation-in-part of copending application number 10/215,539 filed on August 9, 2002."

"The nonprovisional application designated above, namely application 10/215,539, filed August 9, 2002, claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

**FILING DATE**

60/312,211

08/14/2001"

**12 Maintenance of Copendency of Prior Application**

No petition for Extension of Time is required in Prior Application

**13 Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- (a) This application discloses additional disclosure and a new declaration or oath is being filed. With respect to the prior applications, the inventors in this application are the same.

**14 NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this continuation-in-part is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: \_\_\_\_\_

2/19/04

Reg. No.: 52,284

Tel. No.: 864-250-2298

\_\_\_\_\_  
Signature of Practitioner

Robert S. Thomas

Nelson Mullins Riley & Scarborough, LLP

P.O. Box 11070

Columbia, SC 29211-1070

021904

17231 U.S. PTO

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,018.00

## Complete if Known

Application Number Not Assigned Yet  
Filing Date February 20, 2004  
First Named Inventor Pulaski et al  
Examiner Name Not Assigned Yet  
Art Unit Not Assigned Yet  
Attorney Docket No. 18438/09003

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-2548  
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 770.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
29	-20** = 9	x 18	= 162
4	-3** = 1	x 86	= 86
Multiple Dependent		0	= 0

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Robert S. Thomas Registration No. 52,284 Telephone 864-250-2238  
Signature Date February 19, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven P. Pulaski, Susan Kundel

Application No.:

Group No.:

Filed:

Examiner:

For: METHOD AND COMPOSITIONS FOR THE TREATMENT AND PREVENTION OF PAIN AND INFLAMMATION

**Mail Stop Patent Application**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number EL999246633US

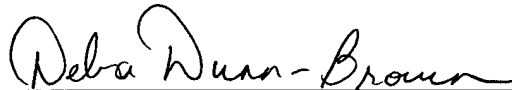
Date of Deposit 02/19/2004

I hereby state that the following *attached* paper or fee

1. Fee Transmittal (1 Page)
2. New Application Transmittal with Added Pages for Application Transmittal Where Benefit of Prior US Applications Claimed (w/duplicate) (5 pages)
3. Patent Application Data Sheet (5 pages)
4. C-I-P Patent Application with title page and abstract (177 pages)
5. Check No. 24078 for \$1,018.00 (1 page)
6. Return Postcard (1 page)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Debra Dunn-Brown



Signature of person mailing paper or fee